

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

Case No.: 5:23-cv-00280-FL

COURTHOUSE NEWS SERVICE,)

)

Plaintiff,)

v.)

)

MOTION TO DISMISS

RYAN BOYCE, in his official)

capacity as Director of the North)

Carolina Administrative Office)

of the Courts; MICHELLE BALL,)

in her official capacity as Clerk)

of Superior Court of Johnston)

County, RENEE WHITTENTON,)

in her official capacity as Clerk)

of Superior Court of Harnett)

County; and BLAIR WILLIAMS,)

in his official capacity as Clerk)

of Superior Court of Wake)

County,)

)

Defendants.)

NOW COME Defendants Ryan Boyce, in his official capacity as Director of the North Carolina Administrative Office of the Courts; Michelle Ball, in her official capacity as Clerk of Superior Court of Johnston County, Renee Whittenton, in her official capacity as Clerk of Superior Court of Harnett County; and Blair Williams, in his official capacity as Clerk of Superior Court of Wake County, by and through their undersigned counsel, Special Deputy

Attorney General Elizabeth Curran O'Brien, for the purpose of moving this Court to dismiss Plaintiff's Complaint against them, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, as more fully set forth in the memorandum of law filed herewith.

Respectfully submitted this the 24th day of July, 2023.

JOSHUA H. STEIN
Attorney General

/s/Elizabeth Curran O'Brien
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Counsel for Defendants

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day electronically filed the foregoing MOTION TO DISMISS using the CM/ECF system, which will send notification of such filing to all the counsel of record for the parties who participate in the CM/ECF system.

This the 24th day of July, 2023.

/s/ Elizabeth Curran O'Brien
Elizabeth Curran O'Brien
Special Deputy Attorney General
N.C. Department of Justice